UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Jon Stainbrook,	)	Case No. 3:06CV2898
	)	
Plaintiff,	)	Judge David A. Katz
	)	
v.	)	**ANSWER OF DEFENDANT**
	)	**PALM PICTURES, LLC**
Lions Gate Entertainment, et al.,	)	
	)	
Defendants.	)	

* * *

For its Answer to Plaintiff Jon Stainbrook's Complaint, Defendant Palm Pictures, LLC ("Defendant") states as follows:

1. Paragraph 1 of the Complaint does not require a response from Defendant.

2. Defendant admits the averments contained in paragraph 2 of the Complaint.

3. Defendant denies the averments contained in paragraph 3 of the Complaint.

4. Defendant denies the averments contained in paragraph 4 of the Complaint.

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5. Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 5 of the Complaint, and therefore denies them.

6. Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 6 of the Complaint, and therefore denies them.

7. Defendant denies the averments contained in paragraph 7 of the Complaint.

8. Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 8 of the Complaint, and therefore denies them. Answering further, there was no Exhibit A attached to the Complaint.

9. Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 9 of the Complaint, and therefore denies them.

10. Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 10 of the Complaint, and therefore denies them.

11. Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 11 of the Complaint, and therefore denies them. Answering further, Defendant states that "Flashing Reds" was not used in the film "Stoked."

12. Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 12 of the Complaint, and therefore denies

them. Answering further, Defendant states that “Flashing Reds” was not used in the film “Stoked.”

13. Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 13 of the Complaint, and therefore denies them. Answering further, Defendant states that “Flashing Reds” was not used in the film “Stoked.”

14. Defendant restates and incorporates by reference the responses contained in paragraphs 1 through 13 above as though fully rewritten herein.

15. Defendant denies the averments contained in paragraph 15 of the Complaint.

16. Defendant denies the averments contained in paragraph 16 of the Complaint.

17. Defendant denies the averments contained in paragraph 17 of the Complaint.

18. Defendant denies the averments contained in paragraph 18 of the Complaint.

19. Defendant denies the averments contained in paragraph 19 of the Complaint.

20. Defendant denies the averments contained in paragraph 20 of the Complaint.

21. Defendant denies the averments contained in paragraph 21 of the Complaint.

22. Defendant denies the averments contained in paragraph 22 of the Complaint.

23. Defendant restates and incorporates by reference the responses contained in paragraphs 1 through 22 above as though fully rewritten herein.

24. Defendant denies the averments contained in paragraph 24 of the Complaint.

25. Defendant denies the averments contained in paragraph 25 of the Complaint.

26. Defendant denies the averments contained in paragraph 26 of the Complaint.

27. Defendant denies the averments contained in paragraph 27 of the Complaint.

28. Defendant denies the averments contained in paragraph 28 of the Complaint.

29. Defendant denies the averments contained in paragraph 29 of the Complaint.

30. Defendant denies the averments contained in paragraph 30 of the Complaint.

31. Defendant denies the averments contained in paragraph 31 of the Complaint.

32. Defendant denies the averments contained in paragraph 32 of the complaint.

AFFIRMATIVE DEFENSES

33. Defendant denies all averments contained in the Complaint not affirmatively admitted in this Answer.

34. Plaintiff's claims are barred due to insufficiency of process and insufficiency of service of process.

35. Plaintiff fails to state a claim upon which relief can be granted.

36. Plaintiff's claims are barred by laches and the statute of limitations.

37. Plaintiff's claims are barred by waiver and estoppel.

/s/ Nathan A. Hall
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **Answer of Defendant Palm Pictures, LLC** has been served electronically and/or by regular U.S. mail, postage prepaid, this 19th day of January, 2007, upon Plaintiff Jon Stainbrook, *pro se,* 1758 Meadowlark Road, Toledo, Ohio 43614.

/s/ Nathan A. Hall
H. Buswell Roberts, Jr.
Nathan A. Hall
SHUMAKER, LOOP & KENDRICK, LLP

Attorneys for Defendants